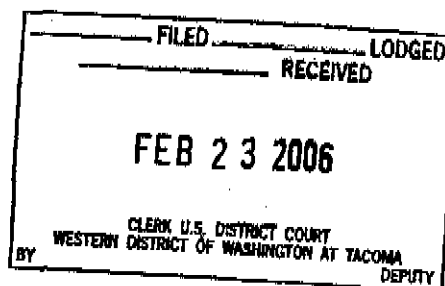


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05-CR-05381-ORD



Judge Leighton

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

No. CR05-5381RBL

Vs.

ORDER GRANTING
CONTINUANCE OF
TRIAL DATE

Montory Catrell Caldwell,
Defendant.

(Proposed)

A Motion to Continue the Trial has been filed by the defendant. The affidavit advises that AUSA David Jennings has no objection to the continuance and that a waiver of speedy trial is forthcoming. The Court has reviewed the pleadings and for the reasons stated, the Motion to Continue the Trial Date is **GRANTED**.

In view of the foregoing, the court finds and rules as follows:

- 1 Failure to grant a continuance in this matter would deny the defense the
2 reasonable time necessary for effective preparation taking into account the
3 exercise of due diligence. Title 18 U.S.C. 3161 (h)(8)(B)(iv).
- 4 2. The ends of justice served by granting the requested continuance outweigh
5 the interest of the public and the defendant in a speedy trial. Title 18 U.S.C.
6 (h)(8)(A). The period of delay resulting from this continuance from
7 March 6, 2006 to May 15, 2006 is
8 excluded for speedy trial computation purposes under 18 U.S.C. 3161
9 (h)(8)(A) and (B) as this is a reasonable period of delay.

10 ACCORDINGLY:

11 The Jury Trial is **CONTINUED** to May 15, 2006 at 9:00 a.m.


12 The Pretrial Conference is rescheduled for May 9, 2006 at 9:00 a.m.

13 The Motions Cutoff date is extended to March 27, 2006.

14
15 It is so ordered this 23rd day of February, 2006.

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17
18 
19 JUDGE LEIGHTON
20 UNITED STATES DISTRICT JUDGE

21 Presented By:

22
23 
24 Thomas A. Campbell
Attorney for Defendant